



2026:CGHC:17851

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 4220 of 2022**

Smt. Nandinee Choudhary W/o Late Sunil Kumar Choudhary Aged About 32 Years Resident Of Village And Post Sonasilli, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh.

... Petitioner**versus**

1 - State Of Chhattisgarh Through The Secretary , School Education Department , Mantralaya , Atal Nagar, Nawa Raipur Chhattisgarh., District : Raipur, Chhattisgarh

2 - The Director Directorate Of Public Instructions, First Floor, C Block , Indravati Bhawan, Naya Raipur , District Raipur Chhattisgarh.

3 - The Joint Director Directorate Of Public Instructions , First Floor, C Block, Indravati Bhawan, Naya Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

4 - The District Education Officer District Balodabazar Bhatapara Chhattisgarh.

... Respondent(s)

For Petitioner : Mr. H.S. Patel, Advocate

For State : Mr. Abhishek Singh, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey**Order on Board****20/04/2026**

1. The petitioner has filed this petition seeking the following relief:-

“10.1 That, this Hon'ble Court may kindly be pleased to call the records pertaining to the case from the respondent authorities.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, thereby setting-aside/quashing the impugned order dated 27.01.2022 (Annexure P/1) and further be pleased to direct the respondent authorities to re-consider the claim of petitioner for grant of compassionate appointment sympathetically.

10.3 To kindly grant any other relief which may be deem fit in the given facts and circumstances of the instant case.”

2. The claim of the petitioner for compassionate appointment has been rejected by respondent No. 3 vide order dated 27.01.2022 on the ground that the husband of the petitioner was never appointed as Assistant Teacher and, prior to issuance of the appointment order, he had died.
3. Mr. Patel, learned counsel appearing for the petitioner would submit that the husband of the petitioner was appointed as Assistant Teacher (Science) (E-Cadre) and the order of appointment was issued in his favour on 28.08.2021. He would further submit that husband of the petitioner died on 21.04.2021 and thereafter an application for compassionate appointment was moved by the petitioner before the authorities on 08.09.2021. He would further submit that the documents submitted by the petitioner were found valid; however, her claim was rejected; thus, he would pray to allow the petition.
4. On the other hand, learned State counsel would oppose the submission made by counsel for the petitioner and submit that the husband of the petitioner died prior to issuance of the appointment order; the petitioner who is wife of said person is not entitled to claim compassionate appointment.
5. Heard.

6. Taking into consideration the fact that the order of appointment was issued in favour of the husband of the petitioner on 28.08.2021, whereas he died prior to said date 21.04.2021; thus, he never assumed charge of the said post, therefore, the question of grant of compassionate appointment does not arise. The respondent authorities have rightly rejected the claim of the petitioner for compassionate appointment.
7. Accordingly, the petition is hereby dismissed. No order as to costs.

Sd/-

Rakesh Mohan Pandey

JUDGE

Nadim